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RESOLUTION #42-2025

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF NEWFANE DECLARING AN EMERGENCY AND AUTHORIZING EMERGENCY EXPENDITURES FOR MARINA DOCK REPAIRS

WHEREAS, pursuant to New York State Town Law and General Municipal Law, the Town of Newfane is required to follow competitive bidding and procurement procedures for the acquisition of goods and services, except in cases of emergency; and

WHEREAS, the Town of Newfane has previously declared the condition of Town of Newfane docks a public health emergency and during the course of that emergency repair work, as an unforeseen condition, the Town of Newfane docks have suffered additional damage requiring immediate repair to protect public safety, safeguard municipal property, and prevent further deterioration; and

WHEREAS, time is of the essence in addressing these conditions, and the delay occasioned by compliance with normal procurement procedures would pose a threat to public property, safety, and welfare; and

WHEREAS, under New York State General Municipal Law §103(4), in the case of a public emergency arising out of an accident or other unforeseen occurrence, or condition whereby circumstances affecting public buildings, public property, or the life, health, safety, or property of the inhabitants require immediate action which cannot await competitive bidding, a municipality may award contracts without competitive bidding to address such emergency;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Newfane hereby declares that an emergency exists with respect to the Town dock requiring immediate repair; and

